



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|--------------------------------|---|-----------------------------|
| In re patent application of: |) | Before the Examiner |
| Powers et al. |) | Brian E. Pellegrino |
| |) | |
| Serial No. 10/634,206 |) | Group Art Unit 3738 |
| |) | |
| Filed August 5, 2003 |) | Ref. No. MSDI-196/ PC934.00 |
| |) | |
| SURGICAL KIT AND METHOD FOR |) | December 10, 2007 |
| PROVIDING STERILIZED EQUIPMENT |) | |
| FOR USE IN SPINAL SURGERY |) | |

RESPONSE TO FINAL OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the final Office Action dated October 9, 2007, please consider the following amendments and remarks. The two-month early response period for responding to the final Office Action expired on December 9, 2007, which fell on a Sunday, thereby extending the two-month early response period to December 10, 2007 (the first business day after December 9, 2007). Please charge any additional fees which may be necessary to Deposit Account No. 12-2424, but not to include any payment of issue fees.

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| <p>I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:</p> | |
| <p align="center">December 10, 2007</p> | |
| <p align="center">Date of Deposit</p> | |
| <p align="center">Brad A. Schepers</p> | |
| <p align="center">Name of Registered Representative</p> | |
|  | |
| <p align="center">Signature</p> | |
| <p align="center">December 10, 2007</p> | |
| <p align="center">Date of Signature</p> | |

NOT ENTERED BY 11/15/08
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